

**U.S. Department of Energy**  
**Washington, D.C.**

**PAGE CHANGE**

DOE 3771 .1 Chg 2

8-13-85

SUBJECT: GRIEVANCE POLICY AND PROCEDURES

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1. PURPOSE. To transmit a revised page to Chapter II of DOE 3771. GRIEVANCE POLICY AND PROCEDURES, of 7-2-81.
2. EXPLANATION OF CHANGE. Military reservists and retired military subject to recall may grieve a designation of key employee. Paragraph 3f clarifies the grievance procedure.
3. FILING INSTRUCTIONS.

a.	<u>Remove Page</u>	<u>Dated</u>	<u>Insert Page</u>	<u>Dated</u>
	II-1	7-2-81	II-1	7-2-81
	II-2	7-2-81	II-2	8-13-85

- a. After filing the attached page, this transmittal may be discarded.

BY ORDER OF THE SECRETARY OF ENERGY:



WILLIAM S. HEFFELFINGER  
Director of Administration

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All Departmental Elements

**INITIATED BY:**

Office of Personnel

CHAPTER II  
ADMINISTRATIVE GRIEVANCE PROCEDURE

1. SUMMARY. The employee initiates an informal grievance by first discussing the matter with the immediate supervisor. If the matter is not resolved in the informal stage, the employee may submit a formal grievance to the servicing personnel office which will either accept, reject, or return the grievance on behalf of the deciding official. If the grievance is accepted, it will be forwarded to the deciding official. If personal relief is not granted, the deciding official will initiate factfinding procedures. The deciding official will then either accept the recommendations of the factfinder or determine that the recommendations of the factfinder are unacceptable and forward the case to the servicing personnel office to be submitted to the Director of Personnel. The deciding official may also reconsider at this point and decide to grant the personal relief originally requested, so long as it is consistent with policy, regulations, or other administrative or statutory requirement. The Director of Personnel will make recommendations, comments, or suggestions to the appropriate higher level supervisor who will make the final decision concerning the grievance and forward the decision to the grievant and a copy to the appropriate servicing personnel office. The procedures contained herein are applicable only to current employees. Former employees, who meet the time limits, shall submit a grievance directly to the Director of Personnel who will, upon receipt of the grievance, decide appropriate processing.
2. TIME LIMITATIONS. An employee may present a grievance concerning a continuing practice or condition at any time. A grievance concerning a particular act or occurrence must be presented within 15 days of the date of that act or occurrence or within 15 days of the date the employee became aware of the act or occurrence. The following is a schedule designed to permit reasonable time limits for the processing of a grievance.
  - a. Completion of the Informal Procedure--within 21 days from the date the grievance is first brought to the attention of the immediate supervisor.
  - b. Filing of the Formal Grievance--within 7 days of completion of the informal procedure, or not later than 28 days after initiation of the informal procedure if no reply has been received in the informal procedure.
  - c. Adjustment or Referral of Formal Grievance to Servicing Personnel Office for Assignment of Factfinder--7 days.
  - d. Completion of Factfinding Procedures and Submission of the Report of Findings and Recommendations--45 days.
  - e. Issuance of the Decision by Deciding Official After Receipt of Report of Findings and Recommendations--7 days.

- f. Issuance of Decision by Appropriate Higher Level Official Deciding Official Does Not Accept Report of Findings and Recommendations--15 days after receipt.
3. INFORMAL GRIEVANCE PROCEDURE. An employee shall complete the informal procedure before the Department may accept a grievance under the formal procedure, except as noted under subparagraphs 3e and f. The following informal procedure is required:
- a. A grievance shall first be discussed with an employee's immediate supervisor. The employee shall specify that an informal grievance is being presented.
  - b. When the grievance involves a decision or matter under the cognizance of an official outside the employee's normal supervisory line, or not within the immediate supervisor's authority, the informal procedure will be administered by the employee's immediate supervisor who will confer with the appropriate official before providing the employee a response to the grievance.
  - c. The supervisor to whom a grievance has been presented for informal adjustment will attempt to resolve it as expeditiously as possible, seeking the advice and assistance of others where necessary, and will give the employee a written decision on the matter not later than 21 days after the date it was received. If the adjustment sought is not granted, the employee will be informed in writing of the reason and the right to request consideration under the formal procedure.
  - d. The immediate supervisor may not refuse to consider a grievance in the informal stage for any reason. If the grievance is not timely or consists of matters not covered under the grievance system, the employee shall be so advised, but the employee must be allowed to invoke under the informal procedure if desired, that is, the employee must be allowed to set forth his or her concern or dissatisfaction to the immediate supervisor who must listen and respond within the context of the grievance procedure.
  - e. Within 7 days of receipt of a letter of decision on a suspension of 14 calendar days or less or a letter of reprimand, an employee may present a grievance directly under the formal procedure without using the informal procedure. The appropriate time limitation in paragraph 2 applies.
  - f. Within 7 days of receipt of a written notification, an employee designated as a key employee may present a grievance directly under the formal procedure without using the informal procedure. The appropriate time limitation in paragraph 2 applies.
4. FORMAL PROCEDURE.
- a. Submission of Grievance.
    - (1) When an employee receives a decision under the informal procedure, or when the time limit for management to respond had expired without a

Vertical line denotes change.